



City of Crystal River

123 North West Highway 19 // Crystal River, Florida 34428-3999 // Telephone (352) 795-4216 // Fax (352) 795-6351

February 17, 2010

Law Office of Clark A. Stillwell, LLC
P. O. Box 250
Inverness, Florida 34451

Dear Mr. Stillwell, Esquire:

Enclosed please find your copy of the U.S. 19 Corridor Annexation, Ordinance No. 10-O-04, as per your request.

If there is any additional information you require, please let me know.

Sincerely,

Carol Harrington, CMC
City Clerk

CAH

ORDINANCE NO. 10-O-04

AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, ANNEXING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF CRYSTAL RIVER, FLORIDA, PURSUANT TO SECTION 171.0413 AND 171.042, FLORIDA STATUTES; PROVIDING A LEGAL DESCRIPTION OF THE PROPERTY TO BE ANNEXED; PROVIDING FOR PUBLICATION; PROVIDING FOR FILINGS WITH APPROPRIATE GOVERNMENTAL AGENCIES; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Crystal River, Florida ("CITY"), wishes to annex into the CITY, certain area of contiguous, compact and unincorporated territory located in Citrus County, Florida, currently outside of the municipal boundaries of the CITY, pursuant to Chapter 171, Florida Statutes, particularly §171.0413 and §171.042, Florida Statutes; and,

WHEREAS, the integration, annexation, and incorporation of the real properties contemplated by this Ordinance into the municipal boundaries of the City of Crystal River, Florida, is depicted in the map attached hereto as Exhibit "A", and incorporated herein, *in haec verba*, and more particularly described within the legal descriptions attached hereto as Exhibit "B", and incorporated herein *in haec verba*; and,

WHEREAS, this Ordinance and documentation supporting same has been reviewed to satisfy the requirements of §171.0413 and §171.042, Florida Statutes, and, the area to be annexed meets the criteria in Chapter 171, Florida Statutes, and;

WHEREAS, the City Manager has prepared a report setting forth the plans to provide urban services to the area being annexed, which contains the following information:

(a) A map or maps of the CITY and adjacent territory showing the present and proposed municipal boundaries, the present major trunk water mains and sewer interceptors and outfalls, the proposed extensions of such mains and outfalls, and the general land use pattern in the area to be annexed.

(b) A statement certifying that the area to be annexed meets the criteria in s. 171.043.

(c) A statement setting forth the plans of the CITY for extending to the area to be annexed each major municipal service performed within the municipality at the time of annexation, including:

1. Providing for extending urban services to the area to be annexed on the date of annexation on substantially the same basis and in the same manner

as such services are provided within the rest of the municipality prior to annexation.

2. Providing for the extension of existing municipal water and sewer services into the area to be annexed, if not already serviced by another utility or entity so that, when such services are provided, property owners in the area to be annexed will be able to secure public water and sewer service if not already provided according to the policies in effect in the CITY for extending water and sewer lines to individual lots or subdivisions.

3. If extension of major trunk water mains and sewer mains into the area to be annexed is necessary, providing a proposed timetable for construction of such mains as soon as possible following the effective date of annexation.

4. Setting forth the method under which the CITY plans to finance extension of services into the area to be annexed; and,

WHEREAS, the City Manager has filed the CITY'S Urban Services Report with the Citrus County Board of County Commissioners within the time period mandated by §171.042, Florida Statutes; and,

WHEREAS, the City Manager has determined that the CITY'S service delivery systems can accommodate the annexation of the properties contemplated herein without adversely impacting other property within the CITY or the residents of the CITY; and,

WHEREAS, the total area to be annexed is contiguous to the CITY'S boundaries at this time and is reasonably compact. Furthermore, no part of the area proposed to be annexed is included within the boundary of another incorporated municipality; and,

WHEREAS, the area proposed to be annexed lies between the municipal boundary of the CITY and an area developed for urban purposes or which is urban in character, so that the area developed for urban purposes is either not adjacent to the municipal boundary of the CITY or cannot be served by the CITY without extending services or water or sewer lines through such sparsely developed area; and,

WHEREAS, the area proposed to be annexed does not have any registered electors at this time; furthermore, the owners of more than fifty percent (50%) of the parcels of land in the area proposed to be annexed consent to the annexation; and,

WHEREAS, the City Council of the City of Crystal River, Florida, has reviewed the Urban Services Report prepared by the City Manager, as well as the Agreements for Voluntary Annexation submitted by the owners of more than fifty percent (50%) of the parcels of land in the area proposed to be annexed, and hereby declares same to be sufficient under the terms and requirements of CITY'S Codes and Chapter 171, Florida

Statutes; and,

WHEREAS, the City of Crystal River, Florida, within the time period mandated by §171.042, Florida Statutes, has caused to be mailed written notice to each person who resides or owns property within the area proposed to be annexed, describing the annexation proposal, the time and place for each public hearing to be held regarding the annexation, and the place or places within the municipality where this proposed Ordinance could be inspected by the public.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Crystal River, Florida, as follows:

SECTION 1. PURPOSE.

The purpose of this Ordinance is to annex into the CITY, certain area of contiguous, compact and unincorporated territory located in Citrus County, Florida, currently outside of the municipal boundaries of the CITY, as more particularly described herein and as further depicted in the map and legal descriptions attached hereto as Exhibits "A" and "B" respectively, and incorporated herein, *in haec verba*. In furtherance of adopting this Ordinance, the above recitals and "Wherefore" clauses are incorporated herein *in haec verba*.

SECTION 2. AUTHORITY.

The City Council is authorized to adopt this Ordinance pursuant to Article III of the City Charter of the City of Crystal River, Florida, and Part II, Code of Ordinances, Chapter 1, General Provisions, of the Code of Ordinances of the City of Crystal River, Florida. In addition, the CITY is authorized to adopt this Ordinance for the annexation of the areas contemplated by this Ordinance pursuant to Chapter 171, Florida Statutes.

SECTION 3. ANNEXATION.

The real properties, as more particularly described herein, and as depicted in the map and legal descriptions attached hereto as Exhibits "A" and "B", and incorporated herein, *in haec verba*, are hereby annexed into the municipal boundaries of the City of Crystal River, Florida.

SECTION 4. CODIFICATION.

It is the intention of the City Council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Crystal River, Florida, with the exception of Sections 2, 4, 5 and 6. The word "Ordinance," or similar words may be changed to "section," "article," or other appropriate word or phrase and the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention.

SECTION 5. CONFLICTS AND REPEALER.

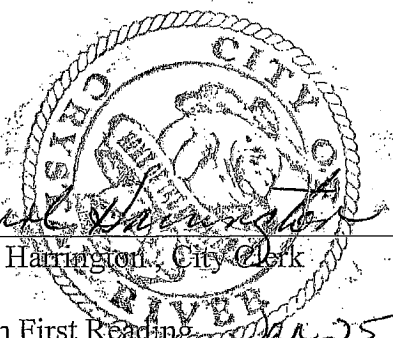
This Ordinance shall be cumulative of all provisions of the Ordinances of the City of Crystal River, Florida, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event all Ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 6. SEVERABILITY.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall become effective immediately upon its adoption by the City of Crystal River, Florida, City Council.



CITY OF CRYSTAL RIVER

Attest: Carol Harrington
Carol Harrington, City Clerk

By: Ronald E. Kitchen, Jr.
Ronald E. Kitchen, Jr., Mayor

PASSED on First Reading JAN 25, 2010
NOTICE Published on _____
PASSED on Second & Final Reading Feb. 8, 2010
NOTICE Published on JAN 17, 2010 & Feb. 2, 2010

Approved as to form
for the reliance of the City of
Crystal River only:
George G. Angeliadis
George G. Angeliadis, City Attorney

VOTE OF COUNCIL:
Kitchen Y
Price Y
McNiff Y
Farley Y
Wheeler Y